

Fox Theatre: Letter to 'Phantom' was a misstep

By Kristi E. Swartz

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Fox Theatre general manager Allan Vella admitted Thursday that a letter delivered to longtime resident Joe Patten was heavy-handed and gave the misconception that the venue needed the apartment that the 83-year-old man has called home for nearly 31 years.

"There is no immediate need for that unit, for that apartment," Vella told the AJC in an interview Thursday afternoon. "It's not really the pressing issue that I think [the letter] appears to indicate, and I think that was kind of really a misstep on its part."

Patten, the man known as the "Phantom of the Fox," has been living in a stately 3,640-square-foot apartment hidden in the historic venue since 1979. He signed a lease at that time allowing him to live there rent-free for life.

On Monday, the board for the Fox voted to terminate that lease and write a new one -- one that would allow him to live there "as long as he is able."

It's those words that have ruffled feathers both of Patten and his family, as well as of the public.

Who decides when Patten is no longer able?

"We'll let the lawyers work it out," Vella said Thursday.

Vella said that he and the board never expected the public outcry that surrounded Monday's meeting. E-mails, protests and Facebook posts all have decried the historic venue's actions, saying the board essentially is trying to throw out the man who is credited with saving the place twice -- once from a demolition and again from a fire.

Monday's meeting followed an Aug. 11 letter written by the chairman of Atlanta Landmarks, the nonprofit that runs the theatre. The letter stated that Patten's health was becoming a "burden" on the Fox's staff and that his apartment was "sorely" needed for other use.

Patten then hired an attorney, Emmet Bondurant, of the high-powered law firm Bondurant, Mixson and Elmore. On Wednesday, Bondurant said he's open to what's negotiable but added that he wasn't sure if anything in the new lease was of that standard.

"I think that we are shocked by how so much of this has been sensationalized and has become a very public debate," Vella said.

But Vella and Fox officials have softened their stance against Patten's new long-term living arrangement as a result of it, saying that there's "very little" that can't be worked out.

"I think what is clear to us is that there may be some arrangements and some accommodations that can be made," Vella said.

Still, Vella points out that a multi-level apartment with no elevator access may be troubling.

"That space, which is converted office space and which is essentially, for the lack of a better term, a walk-up, is not a very practical space for certain kinds of care and accommodation," he said.